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From: Cllr Steven Buckley <>

Sent: Wednesday, July 10, 2024 11:37 PM

To:

Subject: Application NMA/2024/0017 - Non-Material Amendment relating to SMD/2024/0031 - Land Off Tenford Lane, Tenford Lane, Tean

This Application is a Request for approval of non-material amendments to SMD/2024/0031 and is still Under assessment by the case officer. The Application is lacking in defining detail as the Application form states constantly to "Refer to application supporting letter" which does not appear to have been submitted. It would appear that the amendments relate to changes to materials schedule, house types, proposed site sections, site plan, facing brick plot layout, proposed levels, impermeable areas, drainage plan, flood exceedence plan and planting plan.

A request for a non-material amendment is applied for to seek approval for a minor change to the Planning permission which do not breach any Conditions placed on the original consent.

An application for a Non-Material Amendment requires submission of details of changes to drawings and plans submitted with the original planning permission as well as detailed information around the proposed amendments and how they differ from the original Application. The extent and nature of the proposed amendment must be clearly identified on the plans and drawings accompanying the application form either by including sets of both the original and amended drawings, or by superimposing the proposed amendment on those originally approved. In either case, the extent of the amendment must be clearly identified. If the extent and nature of the minor amendment cannot be easily identified from the submitted material the application will not be made valid.

The proposed change to the permitted scheme must not result in the development falling outside the description as set out on the Decision Notice. Must not contravene any condition attached to the original permission. Should not require a further restriction to make it acceptable. should not result in any material increase in height, scale, width or depth of a building and would have been likely to have been approved had it formed part of the original application.

Changes unlikely to be accepted as 'non-material' are extension to the site boundary ('red edge') or application site; Any material increase in height, scale, width, or depth of a building. Change to external materials which would adversely affect the character or appearance of the development or erode the quality of that which was originally approved. Change in house type. Change which alters the development significantly from what was described on the planning permission. An alteration which would conflict with conditions of the original planning permission. Any relevant objections to the original proposal would be compromised by the proposed amendment. The change would contravene adopted planning policy or The approved footprint / siting of the building would be moved in any direction by more than one metre.

SMD/2024/0031 is actually a Submission of details of Reserved Matters Referring to SMD/2016/0811 as being the approved Outline Planning Permission. Furthermore the SMD/2021/0491 submission of details of Reserved Matters was approved with the condition that the Development is carried out in strict accordance with the approved plans as per Outline Planning permission SMD/2016/0811 and any Variation to the approved plans will require the submission of a new planning application. Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.

Whatever the outcome of an application for non-material amendment no new planning permission will be created. The original Planning Permission will still be valid but may be modified as detailed by the Non-material amendment decision.

Checkley Parish Council are therefore of the opinion that this Application for non-material amendments is invalid and should be refused as a result of the aforementioned lack of detail of the actual amendments and consideration of whether the amendments are material or non-material.

Cllr Steve Buckley
Planning Coordinator